

REMARKS

In response to the Official Action dated January 23, 2004, Applicant, respectfully requests reconsideration in view of the following remarks.

Applicant respectfully submits that the prior art references relied upon by the Examiner do not teach or suggest the invention as taught and claimed by Applicant. In particular, the present invention is directed to a system of ordering custom official postal stamps wherein images supplied by the customer are integrally incorporated as part of the official postal stamp. That is, the stamp cannot be used without that portion of the stamp which includes the personal image. This is contrary to what is taught and suggested in Stephens which is a stamp having an attached tab. Quite clearly the stamp could be used without the tab for postage. As set forth on the second page of the Stephens article, the cost was \$10 for each personalized sheet of 10 x 45 cent stamps, along with their own color photo on each attached perforated tab. Since the tab is perforated, it can be clearly seen that it can be removed. The present invention discloses a stamp wherein the personal image is integrally formed as a part of the official stamp, and ordering of the personalized stamps occurs in a remote ordering system over a communication network. This is not taught or suggested by either of the cited references. The reference to Design a Postage Stamp for Black History Month is merely directed to a contest in which people submit images that are proposed to be incorporated into stamps by the official postal authority. This is not a system for ordering images electronically for incorporating of personal images as taught and claimed by Applicant. Furthermore, there is no teaching or suggestion of how either of the cited references could be combined with the other. As set forth in CAFC in *In re Lee*, 277 Fed 3rd 1338 61 USPQ 2nd 2002 1430:


“factual inquiry whether to combine references must be thorough and searching, based on objective evidence of record teachings of reference can be combined only if there is some suggestion or incentive to do so ... only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references”.

The Stephens article is simply directed to disclosing use of a tab attached to an official stamp or a personal image can be placed on the tab. The Brackney reference simply discloses the ability for submitting suggestions for

images that may be eligible to appear on a U.S. postal stamp. A far cry from the Stephens reference. Further, neither of these teach or suggest the ordering of images over a communication network as taught and claimed by Applicant. While the U.S. Postal Service has shown the ability to place orders over a communication network, it does not teach or suggest the ordering of personalized, customized official postal products which bear images supplied by the user, nor is there any teaching or suggestion to do so. Quite the contrary, the prior art teaches away from this as the prior art traditionally discloses not providing personal images on postal stamps. The Stephens reference merely suggests the providing of a personal image attached to an official postal stamp not incorporated as a part of the official postal stamp as taught and claimed by Applicant.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,



Attorney for Applicants
Registration No. 27,370

Frank Pincelli/phw
Rochester, NY 14650
Telephone: (585) 588-2728
Facsimile: (585) 477-4646